

NOT TO BE PUBLISHED

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Butte)

THE PEOPLE,

Plaintiff and Respondent,

v.

CHARLES HOUSTON BLALOCK,

Defendant and Appellant.

C080307

(Super. Ct. No. CM041654)

Appointed counsel for defendant Charles Houston Blalock has filed an opening brief that sets forth the facts of the case and asks this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Finding no arguable error that would result in a disposition more favorable to defendant, we will affirm the judgment.

BACKGROUND

We provide the following brief description of the facts and procedural history of the case. (See *People v. Kelly* (2006) 40 Cal.4th 106, 110, 124.)

On May 31, 2014, defendant killed his landlord Brian Clouser, with the help of his girlfriend. On June 1, 2015, defendant pleaded no contest to second degree murder. (Pen. Code, § 187, subd. (a); count 1.)¹ He also admitted having incurred a prior serious felony and five prior prison terms. (§§ 667, subd. (a)(1), 667.5, subd. (b).) The trial court dismissed all remaining counts and enhancements with a waiver pursuant to *People v. Harvey* (1979) 25 Cal.3d 754.

Defendant subsequently moved for new counsel pursuant to *People v. Marsden* (1970) 2 Cal.3d 118 and to withdraw his plea based on ineffective assistance of counsel. The trial court held a hearing on August 6, 2015, and denied defendant's motions.

The trial court sentenced defendant to serve an indeterminate term of 15 years to life plus five years for the prior serious felony enhancement and five years for the five prior prison terms, with 408 days of custody credit. The trial court imposed a \$300 restitution fine (§ 1202.4, subd. (b)), a corresponding parole revocation fine suspended unless parole is revoked (§ 1202.45), \$200 plus a \$40 court surcharge (§§ 672, 1465.7), a \$100 State Court Facilities Construction Fund fee (Gov. Code, § 70372, subd. (a)), a \$200 penalty assessment (§ 1464), a \$20 DNA Identification Fund fee (Gov. Code, § 76104.7), a \$80 DNA Identification Fund fee (Gov. Code, § 76104.7), a \$140 county penalty assessment (Gov. Code, § 76000), a \$40 court operations assessment (§ 1465.8), and a \$30 conviction assessment fee (Gov. Code, § 70373), and \$3,111.48 in victim restitution.

DISCUSSION

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and asks us to determine whether there are any arguable issues on appeal. (*People v. Wende, supra*, 25 Cal.3d 436.) Counsel

¹ Undesignated statutory references are to the Penal Code.

advised defendant of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days have elapsed, and we have received no such communication from defendant. We have undertaken an examination of the entire record and find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

_____/s/
HOCH, J.

We concur:

_____/s/
HULL, Acting P. J.

_____/s/
MAURO, J.